

March 19, 1973  
Minute Book 58 - Page 325

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, March 19, 1973; at 2:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Fred D. Alexander, Ruth M. Easterling, Sandy R. Jordan, James D. McDuffie, Milton Short and Joe D. Withrow present.

ABSENT: Councilman James B. Whittington at the beginning of meeting and Councilman Jordan did not return after the recess.

The Charlotte-Mecklenburg Planning Commission sat with the City Council, and as a separate body, held its public hearings on the zoning petitions, with Chairman Tate and Commissioners Albea, Boyce, Finley, Kratt, Jolly and Royal present.

ABSENT: Commissioners Moss, Ross and Turner.

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#### INVOCATION.

The invocation was given by Craig Lawing, Mecklenburg County State Representative.

#### APPROVAL OF MINUTES.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, the minutes were approved for the meeting on March 12, 1973.

#### WINNERS OF GOLD ROSE CATEGORY AWARDS FOR 1973 RECOGNIZED BY MAYOR BELK AND PRESENTED AS QUEENS OF THE QUEEN CITY OF CHARLOTTE.

Mayor Belk recognized the 1973 Winners of the Gold Rose Awards in the Salute to Women Who Work Week, and proclaimed each a Queen of the Queen City. He stated he and Council are proud of each one and what they represent, and thanked them for the fine job they are doing.

The Winners were:

Mrs. Betty Abernathy  
Mrs. Martha Adams Adams  
Mrs. Joye H. Brown  
Miss Mildred English  
Mrs. Betty Feezor  
Mrs. Dorothea Jackson  
Mrs. India McCachren  
Miss Betty J. Phifer  
Mrs. Linda Gail Sloan  
Mrs. Evelyn F. Newman (1973 Outstanding Charlotte Career Woman)

Mayor Belk also recognized Miss Thelma Proctor, General Chairman of the Salute To Women Who Work Week, and complimented her on the outstanding job she did for all these ladies.

#### CITY OF CHARLOTTE EMPLOYEE PLAQUES PRESENTED.

Mayor Belk and the Councilmembers recognized the following City Employees and presented each with the City of Charlotte Employee Plaque, and wished them well in their retirement:

- (a) Crosby A. Dunn, Pumping Station Foreman, Utility Department, employed September 1, 1952 and retired February 28, 1973.
- (b) Leonard Hough, Labor Foreman I, Public Works Department, Sanitation Division, employed December 27, 1945 and retiring March 23, 1973.

March 19, 1973  
Minute Book 58 - Page 326

HEARING ON PETITION NO. 73-7 BY KATHERINE K. SMETANA FOR A CHANGE IN ZONING OF A LOT ON THE EAST SIDE OF SHARON AMITY ROAD SOUTH OF AND ADJOINING THE UNITARIAN CHURCH OF CHARLOTTE.

A public hearing was held on the subject petition on which a protest petition was filed and found sufficient to invoke the 3/4 Rule requiring six (6) affirmative votes of the Mayor and City Council in order to rezone the property.

Mr. Fred Bryant, Assistant Planning Director, stated the lot is vacant and is 51' x 200' located between the Unitarian Church and an office building which is presently vacant. There is a high rise building that has been constructed at the corner of Colwick and Sharon Amity Road; there is single family across from the subject property and extending northeasterly along Sharon Amity Road. Coming back in the direction of Randolph Road there is a variety of commercial business activities with a restaurant, fire station and service stations on all corners of Randolph and Sharon Amity. To the rear of the property is an area that touches on condominium apartments.

He stated the subject property is zoned multi-family as is the church property coming up to Harwick Road; to the rear is multi-family zoning along Gaynor; to the southeast along Sharon Amity is office zoning; then begins the business zoning at Colwick Road and down to Randolph Road intersection. Single family zoning dominates along Sharon Amity Road from the subject property going on out. Basically the lot in question has office zoning on one side of it and multi-family zoning on the other side and to the rear.

Mr. Lyn Bond, representing the petitioner, passed around maps and asked the Council to refer to them as he talked.

He filed with the city clerk a signed statement from the Unitarian Church withdrawing its protest dated March 14, 1973, against the rezoning of the subject property.

Mr. Bond stated the entire property is no more than 2/10 of an acre; it fronts 51 feet on Sharon Amity Road and extends back 200 feet and narrows to 47 feet in the rear. He stated there are no single family homes within this block; on the corner is the Exxon Service Station, then the fire station, the Pizza Hut and then a one story office building, the subject property and then the Unitarian Church. Across the street is a seven story office building, and next to that is a service station, and the 7-11 Grocery Store, a Weiner King Restaurant and another service station at the corner.

Mr. Bond stated they are not asking for a B-1 use but for what appears to them to be a natural extension of the O-6 zoning. They plan to either sell it to the owner of the office building next door for use as parking; or in the alternative to develop it as a one-story professional office building. Due to the size of the lot an unfavorable zoning decision will in effect render this property unusable because it cannot be used for multi-family use, and it would not lend itself for single family use. It would be in the best interest to have this zoning change so that it can be developed; it could be used by the church for parking and could benefit them.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for a recommendation of the Planning Commission.

HEARING ON PETITION NO. 73-5 BY CHARLOTTE PIPE & FOUNDRY COMPANY FOR CONDITIONAL OFF-STREET PARKING APPROVAL FOR A LOT AT 2100 VAIL AVENUE.

A public hearing was held on the subject petition requesting conditional off-street parking approval for a lot 65' x 155' at 2100 Vail Avenue, which is now zoned R-6MF.

March 19, 1973  
Minute Book 58 - Page 327

The Assistant Planning Director advised a few months ago Council approved a request for conditional parking for a lot facing on Vail Avenue, between Chase Street and Dunn Street, and there was one lot left out of that request. It is now under the ownership of the Charlotte Pipe & Foundry Company and they are applying for the conditional parking approval to be expanded to include that lot. In effect all the properties facing Vail Avenue all the way to Chase Street is now involved in the zoning program. They propose to build an office building facing on Randolph Road with parking on the rear on Vail Avenue. Generally speaking the other land uses along Vail are single family; Randolph has been largely converted to office with a scattering of housing along the street.

He stated the zoning along Vail Avenue is zoned O-6 from Chase Street back in the direction of Caswell; all of Randolph Road is zoned O-6 all the way out to Laurel Avenue; the remaining portion of the area is zoned R-6MF.

Councilwoman Easterling asked if this would change the pattern of egress and entrance? Mr. Bryant replied it would not; the plans that have been approved do not have an exit or entrance from Vail Avenue; it required that the entrance be from the side street.

Mr. Frank Dowd, Jr., of Charlotte Pipe & Foundry Company, stated the approval of this request would help them in the use of the existing alley.

No opposition was expressed to the proposed conditional off-street parking.

Council decision was deferred for a recommendation of the Planning Commission.

HEARING ON PETITION NO. 73-6 BY JUNIUS B. HIPPI, ET AL, FOR A CHANGE IN ZONING OF PROPERTY ON BOTH SIDES OF DARBY AVENUE BETWEEN HONEYWOOD AVENUE AND INTERSTATE 85.

A public hearing was held on the subject petition for a change in zoning from R-6MF to B-2 of property on both sides of Darby Avenue between Honeywood Avenue and Interstate 85.

Mr. Fred Bryant, Assistant Planning Director, stated this includes a complete block and includes the property on both sides of the block. It is on Darby Avenue; and is adjacent to Interstate 85 proceeding along Darby Avenue, one block removed from Highway 16. The block is occupied with a number of residential structures; predominately used for that purpose. It is adjoined on the Belhaven Boulevard side by a service station located at the corner of Honeywood Avenue and Highway 16; other uses in the area are another service station on the opposite corner of Honeywood; there is a Kentucky Fried Chicken facility at the intersection of Nelson Street and a small shopping center located between Nelson and Center Street on Highway 16. To the rear of the property, or to the south along Rozzells Ferry Road, is a variety of business activities including a hardware facility; then a furniture store, and a couple other business uses. That entire block with one exception is occupied for business purposes. There are other residences along Darby Avenue, along Nelson Street, and the Oak Grove Baptist Church is located in the area. The interchange of Highway 16 and Interstate 85 is predominately developed with service station uses.

He stated the subject property is zoned R-6MF as is all the property along Darby Avenue for about two and half blocks. There is B-2 zoning along Rozzells Ferry Road adjacent to the subject property; on the opposite side is B-1 zoning along Highway 16. This one block area has business zoning on two sides, with Interstate 85 being located on the third side, and multi-family zoning on one side.

March 19, 1973  
Minute Book 58 - Page 328

Mayor Belk stated to get rid of the diamond head, which is a bottleneck at I-85 and Belhaven Boulevard, will this property have any bearing on that? Mr. Bryant replied no; that Darby Avenue is dead end at the ramp. Mayor Belk stated coming off I-85 we will have to have non-stop at the top of the hill so that it can feed in on Highway 16. He asked if Mr. Bryant has checked with the Transportation Department to see, when they fix this problem, if it will interfere with this particular property. Mr. Bryant replied they have looked into this; that he understands what is being contemplated here is to take the existing ramp area and widen it to provide a two lane flow of traffic, rather than one lane to provide a right turn at the top on one lane coming off I-85 onto Highway 16. There is a possibility of a traffic signal being located at this point. Mayor Belk stated that is not what they are looking for. If you want to make a left turn coming off an interstate it will always be bad; if you have all right turns coming off I-85 into Highway 16, would this interfere with that at all? Mr. Bryant replied no; that all right turns are not possible at this point. You will have to provide for left turns onto Highway 16. That is one reason there is a possibility of a signal light.

State Representative Craig Lawing, one of the petitioners, stated he is also representing Mr. J. B. Hipp, and Mr. Bill Hamilton. He pointed out I-85, the Seaboard Airline tracks and the Northwest Freeway. He stated in the three block area there are only three property owners who live in their own homes; the rest of them are rented. He stated he received a letter from Mr. Donald Darby and he said he has worn out four wheelbarrows, sixteen shovels, three rakes and two garden hoses, and a pick-up truck trying to keep the four apartments he has rented, and he wanted his taxes reduced. He stated the whole area is assessed for about \$52,000 and brings in about \$1600 in taxes; while other parcels are bringing in about \$3600. He stated they applied to the PHA for financing to build some houses and they would not grant the request because of the noise factor on I-85; and the traffic backs up under the bridge about 4:30 every afternoon. He stated they have an average of about 352 feet in width and about 900 feet in length. He stated it is not conducive to a good desirable place to live. There is one four family apartment being built and the others in the area are being torn down. That Mr. Hipp wants to expand his hardware store and Mr. Hamilton would like to expand his furniture store.

Representative Lawing stated they believe the Planning Commission should go out in this area and change all this zoning to something other than residential as they do not believe people should have to live in there with all this business around it.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for a recommendation of the Planning Commission.

#### DISCUSSION OF INTERSTATE AND FREEWAY INTERCHANGES AND NEED OF ASSISTANCE FROM THE STATE.

Mayor Belk requested Representative Lawing to use his influence in Raleigh in making the necessary changes to these interchanges. That the Northwest Expressway is not open and right now you cannot get through. That all the diamond heads where you have to come up and make a left turn are very difficult. That the same thing is true at I-85 and Sugar Creek Road, and this is a new interchange. He stated he is sure that Representative Lawing will know the right people to contact.

Representative Lawing stated his number one priority is to sit down and talk with Mr. Bruce Lentz. Mayor Belk stated Sugar Creek is a new interchange and the Northwest Freeway is not open and both of these are presenting problems. The drivers come up off this limited highway and all of a sudden they hit a deadend.

March 19, 1973  
Minute Book 58 - Page 329

Councilman Short asked what hours the police are on duty at I-85 and the Northwest Freeway? The City Manager replied it varies according to the availability of the men; that this is not the answer to the problem stopping traffic backed up on the Interstate. Councilman Short replied it is the only thing we have until it is rebuilt. That he went out there the other day and in the middle of the morning you cannot make a left turn off I-85 into the Northwest Freeway. Mayor Belk stated on the other end of the Northwest Freeway there are already 45,000 cars and we plan on 55,000 in the summer when it opens up. Councilman Short stated when he was out there the other morning, the only way you could come off I-85 and make a left turn onto the Northwest Freeway and come back towards Charlotte was just from the way that people usually get out of a driveway, because someone will stop and maybe let you out. That you cannot expect three lanes of traffic on an expressway to stop and let someone out. It is true that you can turn right.

Mr. Burkhalter, City Manager, stated the federal interstate program has quite a bit of money and it looks now as if Congress is going to allow some of the money to be spent for transit systems. What cities have been trying to do all across the country is to get more of this money for urban use; that interstates have been built and they cut them off and dump the traffic on city streets and stop right there. That he is sure the State Highway Department and others would like to have more of this money for urban development so they can put in interchanges to take care of this with accelerated lanes as you come off and decelerated lanes. All of this will take a lot of money and at present the State has to use its own money. That these are the areas in which we are trying to get federal money. Mayor Belk stated we have both the interstate and expressway dumping in there, and there is no way to change this until the whole pattern is changed. That he thinks the diamond heads are the worse things ever invented on interstate highways.

HEARING ON PETITION NO. 73-8 BY QUEEN CITY LUMBER AND SUPPLY COMPANY FOR A CHANGE IN ZONING OF LAND AT THE SOUTHEAST CORNER OF BASCOM STREET AND WEDDINGTON AVENUE.

A public hearing was held on the subject petition for a change in zoning from R-6MF to I-1 of property on both sides of Darby Avenue between Honeywood Avenue and Interstate 85.

The Assistant Planning Director advised this area includes property that has been utilized for years by the Queen City Lumber Company located at the intersection of Weddington Avenue and Bascom Street; this is a non-conforming operation which was there well before zoning in this area occurred. The surrounding uses are of a residential nature with a combination of single family, duplex and apartment uses. The railroad parallels the subject property to the rear and on the opposite side of the railroad is a solid pattern of single family uses.

Mr. Bryant stated the railroad is the divider between multi-family zoning which is prevalent on the Seventh Street side of the railroad including the subject property; single family zoning is prevalent along Wyanoke, Bascome, Kingsbury and the other streets leading over in the direction of Independence Boulevard. The exception to that is a small strip of I-2 that occupies the railroad right of way, and on which a small portion of Queen City operation is located. This request is for a change to I-1 which permits some changes so that new buildings can be built. Generally speaking there is multi-family zoning on one side of the railroad and single family zoning on the opposite side.

Mr. Winfred Ervin, Attorney representing the petitioner, stated this company has been operating for 27 years, and most of it has been as a non-conforming use. He stated some of the buildings are old wooden buildings and were constructed in 1946. He passed around a map showing some of the locations of buildings. He stated one of their buildings causing their suffering now is the mill-work shop, and because of the non-conforming use they cannot improve

March 19, 1973  
Minute Book 58 - Page 330

the building. This building is a fire trap; it is heated by an old wood stove; and when the building was constructed it was under the then existing electrical code and no grounds were required. It is in bad need of ventilation. He stated OSHA, the agency responsible for the new safety standards under the federal act, enters the picture now. That OSHA has told them they will have to put some improvements in this building. All of this will be impossible unless they can get this area rezoned. It is not a question of any expansion of the use.

Mr. Ervin stated Queen City would like to take that building and demolish it, and build a fire proof building with a heating plant away from the building, and build it in accordance with the safety regulations of the federal government. The new building would be much more attractive. He stated there is a fence which screens this entire area and comes down to within 30 feet of this building; there are large hardwood trees spaced so close together that it is impossible to allow a person to go through there. With all the foliage in the summertime it is impossible to see Bascom Street; also there is a row of trees that comes down which acts as a screen for the residential section. He stated by allowing this request for a change in zoning it will update and improve this property.

Mr. Bryant stated as I-1 zoning is requested, the open storage will still be non-conforming, so that any changes involving the storage part will have to be enclosed.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for a recommendation of the Planning Commission.

HEARING ON PETITION NO. 73-9 BY HENRY L. BLACKWELDER, SR., ADMINISTRATOR OF JOHN EDWARD DUNN ESTATE, FOR A CHANGE IN ZONING OF PROPERTY AT THE SOUTHERLY CORNER OF WOODMEN AVENUE AND NORTH HOSKINS ROAD.

A public hearing was held on the subject petition requesting a change in zoning from B-1 to B-2 of property 120' x 170' at the southerly corner of Woodmen Avenue and North Hoskins Road.

Mr. Fred Bryant, Assistant Planning Director, stated the subject property is located at the intersection of Hoskins Road and Woodmen Avenue and has on it two houses; to the rear along Woodmen is predominately single family usage; other parts of adjoining properties are of a commercial nature; there is a machine shop located directly across Woodmen Avenue; there is a flower shop adjoining that; across Hoskins Road from the property is a car wash; then a service station and store. Adjoining the property to the south is a drug store at the intersection of Hoskins and Rozzells Ferry Road. Generally there is residential usage adjoining it on Woodmen with commercial usage on the other three sides.

He stated there is a solid pattern of business zoning extending from Belhaven Boulevard over to Rozzells Ferry Road along Hoskins Road in this area, including the subject property. The request is a change from B-1 to B-2. There is some B-2 zoning already existing in the area with the zoning on the west side of Hoskins Road from Rozzells Ferry Road up to this point being B-2. The remaining part is B-1; to the rear of the property down Woodmen is R-6MF. The property has residential zoning to the rear of it; and then business zoning on the other three sides.

Mr. Al London, Attorney for the purchaser of the property, stated immediately adjacent to the property is a machine shop and a wood working shop as well. The houses on this property are white frame houses which were probably built 20-30 years ago. Right across the street is zoned B-2; one of the places across the street is a garage for paint and body repairs and a car wash. About anything that would be done with regard to the subject property would be an improvement on the street itself.

March 19, 1973  
Minute Book 58 - Page 331

Mr. London stated the purchaser proposes to build an automobile and truck parts distribution place of business; they propose a building of approximately 5,000 square feet with off-street parking. He stated that area uses a considerable amount of these particular parts and other areas in the immediate neighborhood have immediate need of it, and they now have to travel some distance to get the parts they need for the automobiles and trucks.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for a recommendation of the Planning Commission.

#### COUNCILMAN WHITTINGTON COMES INTO MEETING.

Councilman Whittington came into the meeting at this time and was present for the remainder of the session.

HEARING ON PETITION NO. 73-10 BY CHARLOTTE-MECKLENBURG PLANNING COMMISSION TO CONSIDER AN AMENDMENT TO THE TEXT OF THE ZONING ORDINANCE TO REDUCE THE MINIMUM LOT WIDTH FOR ONE FAMILY ATTACHED HOUSING AND REMOVE THE REQUIREMENT FOR A PUBLIC STREET TO BE WITHIN 300 FEET OF SUCH A UNIT.

A scheduled hearing was held on the subject petition to consider an amendment to the text of the zoning ordinance to reduce the minimum lot width for one-family attached housing to 16 feet and remove the requirement for a public street to be within 300 feet of such a unit.

The Assistant Planning Director advised this petition comes to Council as a proposal from the Planning Commission itself.

Mr. Bryant stated there are two parts to this ordinance; both concern regulations dealing with townhouse or single family attached units. In the regulations at the present time, the one family attached or the townhouse for sale unit has a varying requirement based on the district in which it is located for a minimum lot width ranging from 18 feet to 22 feet, depending on the district in which it is located.

He stated when you attempt to design everything from a one bedroom up to four bedroom units there is not a lot of flexibility in terms of being able to design those units with varying widths involved. When you have 22 feet as the minimum width that freezes it and stabilizes it in that area.

He stated one of the ways they feel flexibility can be introduced is to reduce the minimum lot sizes in these districts so that the architect and the developer together can work with a wider range or a little more variety in terms of the size of the unit that is being prepared.

One of the recommendations is that the minimum lot width in all multi-family districts in which single family attached dwellings are permitted to be reduced to 16 feet. This is a minimum recognized by FHA as well as most of the conventional mortgage agencies as well.

Mr. Bryant stated originally, when we went with the planned unit regulations and with the townhouse for sale regulations several years ago, we installed a requirement that said each single family attached unit must be within 300 feet of a public street. At that time we were dealing with a departure from what had been a requirement that all lots have frontage on a public street to the recognition of the design features of a project of this sort which would make permissible one of these units being built provided it was within 300 feet of a public street. Sometime later they came to Council with the proposed regulations dealing with apartments in terms of site design and site review process. The initial draft of the apartment regulations called for this same standard. That is that every apartment unit would have to be within 300 feet of a public street. The end result was a regulation setting up a new category of circulation ways which they called private streets. The ordinance ended up saying that an apartment unit could be developed provided it was within 300 feet of either a public street or a private street. The private street carries with it a certain standard that deals with the minimum width and construction.

March 19, 1973  
Minute Book 58 - Page 332

Mr. Bryant stated for these last two or three years we have been going along with a varying standard. On one hand we say that apartments and condominium units can be built provided they are within 300 feet of either a public street or a private street; on the other hand we are stuck with this original requirement which is in the ordinance for townhouse for sale which says it must be within 300 feet of a public street. What is proposed is that similar language to the apartment and condominium section of the ordinance be installed to say that in effect one family attached dwelling units can now be located within 300 feet of either a public street or a private street, and this will bring it into conformance with the same provisions that apply to all apartments or multi-family structures.

This is a recommendation that will bring the regulations in line and in agreement with each other.

No opposition was expressed to the proposed amendment to the zoning ordinance.

Council decision was deferred for a recommendation of the Planning Commission.

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON PETITION OF REDEVELOPMENT COMMISSION TO CLOSE A PORTION OF ARGOSY STREET.**

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, a resolution was adopted fixing date of public hearing on April 16, on petition of Redevelopment Commission to close a portion of Argosy Street, extending 75 feet north of Wearn Street and 91.48 feet south of Wearn Street.

The resolution is recorded in full in Resolutions Book 9, at Pages 69-70.

**RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON PETITION NO. 73-11 THROUGH 73-13 FOR ZONING CHANGES.**

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, adopting a resolution providing for public hearings on Monday, April 16, 1973, on Petitions No. 73-11 through 73-13 for zoning changes.

The resolution is recorded in full in Resolutions Book 9, at Page 71.

**MEETING RECESSED.**

The Mayor called a recess at 3:15 o'clock p.m.

**MEETING RECONVENED WITH COUNCILMAN JORDAN ABSENT.**

Mayor Belk reconvened the meeting at 3:30 o'clock p.m., with all members of Council, with the exception of Councilman Jordan, present.

**ORDINANCES TO FINANCE PLANNED WATER-SEWER PROJECTS, ADOPTED.**

Councilman Withrow moved adoption of Ordinance No. 746-X transferring funds within the Utilities Fund Capital Improvement Project for the implementation of annexation water-sewer projects, in the amount of \$1,173,300.00. The motion was seconded by Councilman Alexander, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Pages 27-28.

March 19, 1973  
Minute Book 58 - Page 333

Motion was made by Councilman Whittington, seconded by Councilman Alexander and unanimously carried adopting Ordinance No. 747-X transferring funds within the Utilities Fund Capital Improvement Budget establishing an appropriation for refunds of water-sewer main construction deposits in the amount of \$474,406.00.

The ordinance is recorded in full in Ordinance Book 20, at Page 29.

After explanation, Councilman Short moved adoption of Ordinance No. 748-X transferring funds within the Utilities Capital Improvement Budget to provide an appropriation for refunds on 35% water and sewer contracts, in the amount of \$150,000. The motion was seconded by Councilman McDuffie, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 30.

CONTRACT FOR TECHNICAL OR PROFESSIONAL SERVICES BETWEEN THE CITY OF CHARLOTTE MODEL CITIES DEPARTMENT AND CHARLOTTE MEMORIAL HOSPITAL.

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, a contract was approved between the Model Cities Department and Charlotte Memorial Hospital, in the amount of \$185,470, to provide physical facilities for a night non-emergency out-patient medical service.

CLAIM FILED BY J. REID POTTER, ATTORNEY ON BEHALF OF ROBERT MICHAEL MARTIN, IN THE AMOUNT OF \$378.40, DEFERRED.

The claim filed by J. Reid Potter, Attorney on behalf of Robert Michael Martin, in the amount of \$378.40 was presented for Council's consideration. Council was advised it was deferred from the last meeting at the request of Mr. Potter until a full Council is present.

Mayor Belk advised that Councilman Jordan is absent at this time and only six members of Council are present at this time. Councilman Short asked Mr. Potter his preference, as he had asked Council to defer this for a full Council. Mr. Potter replied he would just as soon Council would take action on this; that his client is being pressured to pay his bills; and they would like to proceed.

After discussion, Councilman Short stated he would suggest this be deferred and not settled today; that he thinks Council wants to see that Mr. Martin somehow gets these bills paid; it is a matter of the heart; and the City Attorney has indicated Council does not have the authority to use public funds for this purpose.

Councilman Short moved that Council defer this claim and let the Council see if they cannot work out some way to cover this in the next week or so. The motion was seconded by Councilman Withrow and carried unanimously.

CLAIM FILED BY BERTHA U. FUNDERBURKE FOR PROPERTY DAMAGES DENIED.

Councilman Whittington moved that claim filed by Mrs. Bertha U. Funderburke in the amount of \$30,000 for property damages alleged to her home due to the Eastway Drive Widening project, be denied as recommended by the City Attorney. The motion was seconded by Councilman Short, and carried unanimously.

March 19, 1973  
Minute Book 58 - Page 334

PROPERTY TRANSACTIONS AUTHORIZED.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, authorizing the following property transactions:

- (a) Acquisition of 30' x 199.23' of easement at 10241 Sterling Lane, from Dewitt L. Currie and wife, Francis, at \$249.00, for Kings Branch Outfall Project.
- (b) Acquisition of 30' x 126.08' of easement at 10300 Sterling Lane, from John C. Allen, Jr., and wife, Virginia, at \$126.00, for Kings Branch Outfall Project.

SPECIAL OFFICER PERMITS, APPROVED.

Councilman Withrow moved approval of the following special officer permits, which motion was seconded by Councilman Alexander, and unanimously carried:

- (a) Issuance of permit to Bruce Edward Boulton for use on the premises of SouthPark Mall, 4400 Sharon Road.
- (b) Issuance of permit to Luther William Blume for use on the premises of Douglas Municipal Airport.
- (c) Issuance of permit to Hoy Eugene Fisher for use on the premises of Douglas Municipal Airport.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO HERMAN L. MCCREE AND WIFE, JESSIE B., LOCATED AT 1020 EVENINGSIDE DRIVE, IN THE CITY OF CHARLOTTE, FOR THE IRWIN CREEK-SUGAR CREEK OPEN SPACE PROJECT PHASE II, POSTPONED.

Upon motion of Councilman Withrow, seconded by Councilman Alexander, and unanimously carried, the subject resolution was postponed.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO CLARENCE H. BOONE, AND WIFE, MAE C. BOONE, LOCATED AT 1016 EVENINGSIDE DRIVE, IN THE CITY OF CHARLOTTE, FOR THE SUGAR CREEK-IRWIN CREEK OPEN SPACE PROJECT, NC-1001-OS, PHASE II.

Motion was made by Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, adopting subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Clarence H. Boone and wife, Mae C. Boone, located at 1016 Eveningside Drive, in the City of Charlotte, for the Sugar Creek-Irwin Creek Open Space Project, NC-1001-OS, Phase II.

The resolution is recorded in full in Resolutions Book 9, at Page 72.

ORDINANCE TRANSFERRING FUNDS TO THE SHARON ROAD CULVERT ACCOUNT TO PROVIDE SUFFICIENT FUNDS TO AWARD THE CONSTRUCTION CONTRACT AND COVER ESTIMATED CONTINGENCIES, ENGINEERING, INSPECTION AND OUTSTANDING RIGHT OF WAY PURCHASES, POSTPONED UNTIL LATER IN MEETING.

Councilman Whittington moved that the subject ordinance be postponed until later in the meeting. The motion was seconded by Councilman Withrow, and carried unanimously.

March 19, 1973  
Minute Book 58 - Page 335

CONTRACT AWARDED WALKER PROCESS DIVISION, FOR TRICKLING FILTER ROTARY DISTRIBUTORS FOR IRWIN CREEK WASTEWATER TREATMENT PLANT.

Upon motion of Councilman Whittington, seconded by Councilman Alexander, and unanimously carried, contract was awarded the low bidder meeting specifications, Walker Process Division, in the amount of \$155,852.00, for six Trickling Filter Rotary Distributors for Irwin Creek Wastewater Treatment Plant.

The following bids were received:

Walker Process Division	\$155,852.00
Rexnord, Inc., Pacific Flush Tank	165,210.00

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY, FOR STREET IMPROVEMENTS IN THE WILMORE NEIGHBORHOOD IMPROVEMENT PROJECT.

Motion was made by Councilman Short, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Crowder Construction Company, in the amount of \$236,206.50, on a unit price basis, for street improvements in the Wilmore Neighborhood Improvement Project.

The following bids were received:

Crowder Construction Company	\$236,206.50
Blythe Brothers Company	248,172.50
Rea Construction Company	253,325.00

CONTRACT FOR STREET IMPROVEMENTS ON THE SHARON ROAD CULVERT PROJECT, POSTPONED UNTIL LATER IN THE MEETING.

Councilman Short moved the subject contract be postponed until later in the meeting. The motion was seconded by Councilman Whittington, and carried unanimously.

CONTRACT AWARDED THOMAS STRUCTURE COMPANY FOR SANITARY SEWER FACILITIES TO SERVE FIVE KNOLLS ESTATES.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, Thomas Structure Company, in the amount of \$62,599.80, on a unit price basis, for sanitary sewer facilities to serve Five Knolls Estates.

The following bids were received:

Thomas Structure Company	\$62,599.80
Ben B. Propst	82,557.00
Rand Construction Co., Inc.	84,578.50
Sanders Brothers, Inc.	129,232.00

CONTRACT AWARDED BURRIS CHEMICALS, INC. FOR WATER TREATMENT CHEMICALS.

Motion was made by Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Burris Chemicals, Inc., in the amount of \$35,830.00, on a unit price basis, for water treatment chemicals.

The following bids were received:

Burris Chemicals, Inc.	\$35,830.00
Allied Chemical Corp.	36,100.00
Moreland Chemicals	38,625.00
Howerton Gowen Chemicals, Inc.	42,025.00

March 19, 1973  
Minute Book 58 - Page 336

CONTRACT AWARDED ASHLAND CHEMICAL COMPANY FOR ACTIVATED CARBON.

Councilman Alexander moved award of contract to the low bidder, Ashland Chemical Company, in the amount of \$9,540.00, on a unit price basis, for activated carbon. The motion was seconded by Councilman Withrow, and carried unanimously.

The following bids were received:

Ashland Chemical Company	\$9,540.00
Burris Chemicals, Inc.	9,943.68

CONTRACT AWARDED JONES CHEMICALS, INC. FOR ANHYDROUS AMMONIA.

Upon motion of Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low alternate bidder, Jones Chemicals, Inc., in the amount of \$3,465.00, on a unit price basis, for anhydrous ammonia.

The following bids were received:

<u>Base Bids</u>	
USS Agri-Chemicals	\$4,620.00
Moreland Chemicals	4,788.00
Jones Chemicals, Inc.	4,935.00
Burris Chemicals, Inc.	5,040.00
<u>Alternate Bids</u>	
Jones Chemicals, Inc.	3,465.00
Hamler Industries, Inc.	3,498.60

CONTRACT AWARDED JONES CHEMICALS, INC. FOR LIQUID CHLORINE.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Jones Chemicals, Inc., in the amount of \$44,022.00, on a unit price basis, for liquid chlorine.

The following bids were received:

Jones Chemicals, Inc.	\$44,022.00
Burris Chemicals, Inc.	49,500.00
Moreland Chemicals	49,500.00

CONTRACT AWARDED AXTON-CROSS COMPANY, FOR SODIUM SILICOFLUORIDE.

Councilman Alexander moved award of contract to the low bidder meeting specifications, Axton-Cross Company, in the amount of \$19,170.00, on a unit price basis, for sodium silicofluoride. The motion was seconded by Councilman Withrow, and unanimously carried.

The following bids were received:

Axton-Cross Company	\$19,170.00
Burris Chemical, Inc.	20,664.00
Howerton Gowen Chemicals, Inc.	23,400.00

CONTRACT WITH MOTION, INC. FOR CONSTRUCTION OF SANITARY SEWER EXTENSION, APPROVED.

After explanation of the location of the property, Councilwoman Easterling moved approval of a contract with Motion, Inc. for the construction of approximately 192 linear feet of 8-inch sanitary sewer in Springway Avenue, inside the city, at an estimated cost of \$1,125.00. The motion was seconded by Councilman Whittington, and carried unanimously.

March 19, 1973  
Minute Book 58 - Page 337

PARK AND RECREATION COMMISSION REQUESTED TO CONSIDER STRUCTURE OF A PERMANENT ORGANIZATION FOR THE PERPETUATION OF THE FESTIVAL IN THE PARK AND THAT THEY SEEK THE COUNTY'S ASSISTANCE AND BRING A REPORT BACK TO COUNCIL.

Councilwoman Easterling stated a discussion started with Mr. Grant Whitney back in September when we had the Festival in the Park. She asked him how it was financed, and he replied that he scouts around for some of the money; that some of the labor is contributed by the trade association and the city furnishes the policemen and firemen on duty there. She stated they had a lengthy discussion about it, and she felt that perhaps the city should finance some part of this as other cultural activities are put into the budget. Later she pinned him down as to how much it takes to put on the Festival. That this will be the ninth year for it and it has grown in scope and in importance to us and to other cities. That Mr. Whitney says he spends about \$15,000 a year on administrative costs; that he can continue to raise some of it but he would be grateful if the city could put into the budget about 1/2 of that amount, \$7,500.00. Councilwoman Easterling stated she would like for Council to think about this and perhaps talk to Mr. Whitney about it. To her, this is one of the finest things done in the city; it appeals to a wider range of our population and our citizens than almost any other cultural benefit we do assist; it brings into the city many people from the surrounding areas.

Mayor Belk stated this was put on by the Chamber of Commerce for three years and after the three years they threw it out, and Mr. Whitney still goes down there and puts it on. He stated Belk's does not mind Mr. Whitney being off for this length of time; that it has been built up now as one of the best out-door types of entertainment in the cultural world. Mayor Belk stated he thinks the City should furnish something about it.

During the discussion, Councilman Alexander suggested that intense study be given to this, and find out how we can come up with a proper type of committee or source to establish the perpetuation of this Festival in the Park so that we will not find ourselves suddenly in need of someone to put it on with nobody who has any real knowledge of expertise or time to do it. That he would like for us to come up with something on how to make this a permanent activity. Mayor Belk stated when this first started with the Chamber of Commerce, he tried to have it as something that would function on a permanent basis. That he would recommend it be put in the Park and Recreation, and the city would back it up. That he would not put it on the Park and Recreation Commission as part of their operation, but with someone else to work with it; that he knows Mr. Whitney would like to continue working with it.

After further discussion, Councilwoman Easterling moved that the Park and Recreation Commission be asked to consider the structure of a permanent organization for the perpetuation of the Festival in the Park, and that they solicit the county's assistance in this and bring back a recommendation to Council. The motion was seconded by Councilman Alexander, and carried unanimously.

Mr. Burkhalter, City Manager, stated Mr. Whitney estimates the annual cost of what he does runs in the neighborhood of \$150,000; that his actual out of pocket cash and what he really pays for is about \$15,000; the city's out of pocket cash last year was \$13,231.00. The \$150,000 is \$135,000 donated; once a city takes over a project and starts doing it, the donations come few and far between. It is very difficult to get the people to donate time for a city project; whereas they will do it for an individual project. This is why Council is saying not that the Park and Recreation Commission do it, but they assume responsibility for getting some group that would regularly do this.

March 19, 1973  
Minute Book 58 - Page 338

REQUEST THAT POLICY BE FIRMED UP PLACING STATE ROADS ON REGULAR SCHEDULE FOR SWEEPING.

Councilman McDuffie stated he received a memo about his request for sweeping state maintained roads which said that no one really knew; that the state does not sweep them and the city does not sweep them. He stated if the state is not going to do it, then they should be put on the city's schedule. That North Tryon Street at Sugar Creek is full of litter, gravel and rocks and Eastway is not swept. That he would like for the city to get a policy firmed up and get these on a regular schedule.

INFORMATION REQUESTED ON LEFT TURN SIGNAL AT CENTRAL AVENUE AND SHARON AMITY ROAD; AND REQUEST THAT STATE SIGN INDICATING TRAFFIC SIGNAL AHEAD BE INSTALLED.

Councilman McDuffie asked when the left-turn arrow will be installed at Central Avenue and Sharon Amity; that the one at Monroe Road and Sharon Amity has been installed.

He stated the traffic signal has been installed at Central Avenue and Briarcreek; that he believes a state sign showing that a traffic signal is ahead should be installed. That this is a new installation and the people are not accustomed to it being there.

COUNCILMAN ADVISES HE PLANS TO FILIBUSTER AGAINST MAKING COLISEUM AUTHORITY A SPECIAL TAX DISTRICT.

Councilman McDuffie stated Wednesday morning, the Local Delegation is going to consider the Coliseum Authority as a Special Tax District, and he plans to be there to filibuster against it. That he does not think it is too good for the credibility of the city to be asking for a special tax district to spend city dollars; that he is going to make as strong a case as he can to get the Delegation not to support it.

DISCUSSION OF FLOOD PLAIN INSURANCE, AND CITY ATTORNEY TO BRING RECOMMENDATIONS TO COUNCIL.

Councilman Whittington stated he received a letter over the weekend from some representative about this flood insurance. This letter says what the city has to do by July. That he thinks it is very timely with all the flooding we have had lately. He stated if there is anything the City can do to help people who are now not eligible for flood insurance then it should be done. That Mr. Bill Finley has been living by a creek on Ideal Way all these years, and the creek is now under his house. He asked what can be done?

Mr. Underhill, City Attorney, stated a bill was introduced in the general assembly last week that requires cities to do all the things necessary to make the property owners eligible for flood insurance under the National Flood Insurance Program. The bill authorizes the Insurance Commissioner to initiate civil action against any governing board who fails to act by July 1, 1974.

Councilman McDuffie stated he believes there is something else, in the meantime, where a city has taken the necessary steps to get started that there might be provisions for people to apply for insurance in the interim, and you do not have to wait until the creek is mapped.

The City Manager stated there were two things that got Council started on flood plain zoning. One was because of the problem of Sugar Creek and trying to get the work done through our engineers. The other was so that people could qualify for this type of insurance. You cannot qualify until you do have flood plain zoning. The City Attorney replied that is right, except there is a possibility if you have initiated steps to begin flood plain zoning, some consideration will be given to the fact that you have not completed it yet, and residents may become eligible.

March 19, 1973  
Minute Book 58 - Page 339

Councilman Whittington stated the city has the ordinance, and the legislation has been introduced. He asked if the city is doing everything it can, and if not, is there anything else the city can do to help these people qualify for flood plain insurance? Councilman McDuffie suggested that the City Attorney get in touch with Kemper Insurance Company as they are assigned to do the local administration, and they will be able to tell us what is necessary.

Councilman Whittington stated he wants the record to state that Council is aware of this legislation, and he would request that the City Attorney bring back to Council, and then it will be publicized through the bulletin in the water bills, if there is anything these people can do to get insurance. He stated this is a very critical area for a lot of people.

REQUEST OF MYERS PARK HOMEOWNERS ASSOCIATION TO DELETE RADCLIFFE AVENUE AND SHARON ROAD WIDENING FROM CAPITAL IMPROVEMENT PROJECT TO BE CONSIDERED BY COUNCIL AT BUDGET TIME.

Mr. Lyn Bond, Spokesman for the Myers Park Homeowners Association, stated they are not a part of the Charlotte Citizens Action Team, and have never been a part of that Team. Also he is not here to say if Council does not go along with their request that they will institute a negative campaign against what Council is trying to accomplish. Mr. Bond stated they are here to ask Council to consider the subject of widening Radcliffe Avenue and Sharon Road.

He passed around a copy of a map and called attention to the red line which is an extension of East Boulevard, and leads into Radcliffe and Radcliffe extends up to Queens Road, and then Sharon Road begins, and continues up to Briar Creek. The overall outline is the outline of what they consider to be the lengths of their Association. He stated a resolution was adopted by the Board of Directors of Myers Park Homeowners Association, and was confirmed at a membership meeting last Wednesday night.

He presented the following petition requesting the deletion of the possible widening of Radcliffe Avenue and Sharon Road from the current five year program for major road system projects:

"The undersigned do earnestly request you to pass an appropriate resolution directing that consideration of the widening of the above two streets be deleted from the above program.

In support of this Petition, we submit that it could not be in the best interests of the general public for Radcliffe Avenue to be widened so as to become a heavily traveled street in view of the location of Myers Park Elementary School and Queens College on this Street.

Moreover, the widening of Radcliffe Avenue and the indicated portion of Sharon Road into four-lane roads would merely divide Myers Park and have a detrimental effect on its continued existence as a residential section. We believe the continued existence of this fine residential section to be vital to the health of Charlotte's 'inter-city'.

We earnestly request that alternate routes of heavy flow traffic be considered so as not to destroy Myers Park."

Mr. Bond stated there are 140 signatures on this petition, and they were signed at the meeting the other night; they have not been circulated.

He stated they are faced with the problem that the possible widening of Radcliffe and Sharon Road has been in the Major Road Projects since 1960. They realize it is not part of the 1973 Transportation Bond Project, and they are not here to speak to that; they consider that to be for the judgement of the individual citizen. That he is here to say that this possibility of widening Radcliffe Avenue has been set out since 1960. It is designed to take place in the year 1976-77. They feel that now is the time this should be removed from the program and alternate routes, if they are necessary, should be considered and substituted at this point before this entire program becomes so fixed that there is no alternative but to proceed with that widening.

March 19, 1973

Minute Book 58 - Page 340

Mr. Bond stated the joint study entitled: "Charlotte-Mecklenburg Development Concept, dated August, 1971", is a study which was made by the Charlotte-Mecklenburg Planning Commission, North Carolina State Highway Commission, Wilbur Smith and Associates and the Charlotte Traffic Engineering Department. This study states that any plans for the community should rest on two foundations. First it should reflect the kind of community the people want; second, it should be sound and realistic. They believe if you do not have within a city, residential sections such as Myers Park, which is predominately single family, it will lead to the ultimate deterioration of the city, and you will end up with a city which is composed entirely of business activities. They believe in doing this it would in effect take the heart out of the city, and you would not end up with a city capable of having "city pride". He stated on the first basis as set forth in the study, they agree that the plans should be designed and carried out so that the community will have what its people want. They would submit that the people do not want a deterioration of such areas as Myers Park. That this is equally applicable to other areas.

Mr. Bond stated on the question of whether or not it is sound and realistic as it relates to these two streets in particular, he would say that it is not sound to locate a thoroughfare solely on the basis of being the shortest distance between the center of town and a highway, or another town or a shopping center. That he would say it is not sound to build such high traffic arteries immediately adjoining Myers Park Elementary School, Queens College and Myers Park Baptist Church. That he would say it is not sound to have a street such as this which would bisect Myers Park in general. That he thinks these two streets if they are widened to four lanes, will lead to the destruction of Myers Park in general.

Mr. Bond asked that the City Council in considering the passage of this resolution, also direct that the experts in this field consider all other alternatives. If the idea is to get the traffic from East Boulevard through the southeastern section of town going out towards Sharon Road, perhaps a connection of East Boulevard to Park Road can be made. If on the other hand it is to take the flow of traffic to Kings Drive, perhaps it would be as well to have that flow of traffic go either into Independence Boulevard and take a right there, or on East Morehead where it is predominately business already. Perhaps an alternative would be the expansion of the present four lane roads and leave areas like this free, or perhaps the mass transit which has been spoken to should be given immediate thought at this time as an alternative to widening such roads as this.

Mr. Bond stated they are making this request not only for the residents of Myers Park, but for the benefit of all the citizens of Charlotte; and they ask Council's consideration of this. They have not made any big campaign to have all their members present at this time as they think Council will reach a fair and equitable decision on their request. He then asked the members of their Board of Trustees to stand and be recognized.

He stated they are not taking part on the agenda items relating to the Sharon Road Culvert Project.

Mayor Belk stated he would like to reiterate one point by Mr. Bond and that is this project is not in this bond package. Mr. Bond replied they are not here to say the bond program has anything to do with what they are asking. Mayor Belk stated it is in the long range part of the program for 1976-77. Also that this group has no objections to the widening of the Sharon Road bridge; that this is a safety factor. Mr. Bond replied no, that they have not acted on this one way or the other; that personally he thinks it is more of a safety factor.

March 19, 1973  
Minute Book 58 - Page 341

Councilman Short stated he appreciates these concerns of this group and moved that all of the councilmembers study these remarks which will be in the minutes and study this subject and this map very carefully, and give a very full consideration to the petition and to the comments and suggestions here when Council is studying this sort of thing this summer. That his motion is that Council particularize this item and study it very carefully between now and then and discuss it, and consider it very carefully when handling this sort of matter this summer. The motion was seconded by Councilman Whittington, and carried unanimously.

ORDINANCE NO. 749-X TRANSFERRING FUNDS FROM THE CIVIC CENTER IMPROVEMENT ACCOUNT TO THE SHARON ROAD CULVERT ACCOUNT TO PROVIDE SUFFICIENT FUNDS TO AWARD THE CONSTRUCTION CONTRACT AND COVER ESTIMATED CONTINGENCIES, ENGINEERING, INSPECTION AND OUSTANDING RIGHT OF WAY PURCHASES, ADOPTED.

Councilman Short moved adoption of the subject ordinance transferring \$47,000 from the Civic Center Street Improvements to this account. The motion was seconded by Councilman Whittington, and carried,unanimously.

The ordinance is recorded in full in Ordinance Book 20, at Page 31.

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS ON THE SHARON ROAD CULVERT PROJECT.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, contract was awarded the low bidder, Crowder Construction Company, in the amount of \$203,723.75 on a unit price basis, for street improvements on the Sharon Road Culvert Project.

The following bids were received:

Crowder Construction Company	\$203,723.75
T. A. Sherrill Construction Co., Inc.	226,644.50
Blythe Brothers Company	233,140.00
Rea Construction Company	239,036.50

Mr. Burkhalter, City Manager, stated this is not only a safety project but is also a flood control project.

GRANT WHITNEY APPOINTED AS CHAIRMAN OF THE CIVIC CENTER OPENING ON SEPTEMBER 29.

Mayor Belk stated Mr. Suddreth of the Auditorium-Coliseum-Civic Center Authority, called him this morning and stated he had talked to Grant Whitney, and would like to appoint him as Chairman of the Civic Center opening on September 29. Mayor Belk stated he did not give Mr. Suddreth a reply until he talked to Council to get their opinions.

Councilman Whittington stated he does not think you could get a better chairman. Councilman Short stated he agreed and moved that Grant Whitney be appointed as the Chairman of the Civic Center Opening. The motion was seconded by Councilman Whittington, and carried unanimously.

COUNCIL ADVISED OF LAND USE PLAN SEMINAR WHICH WILL BE HELD AT THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE ON MARCH 29.

Mayor Belk stated that Mrs. William Roth asked him to announce that on March 29 at the University of North Carolina at Charlotte the Land Use Plan Seminar will be held; that she would like at least ten persons to be there.

March 19, 1973  
Minute Book 58 - Page 342

HOUSE BILL 715 RELATING TO COMMUNITY ACTION PROGRAMS ENDORSED BY CITY COUNCIL.

Mr. Underhill, City Attorney, stated last week the Mayor mentioned the fact that the City of Greensboro was considering a local bill which would authorize the City of Greensboro to undertake, administer, operate and maintain the Community Action Programs, manpower type programs. That the Mayor asked him to give each member of Council a copy of the bill for its consideration. Since the Mayor's comments last week, there has been a bill introduced into the House, House Bill 715, which is a state wide bill which authorizes cities to participate and administer community action, manpower programs. This bill seems to accomplish what the local Greensboro Bill has under consideration.

Mayor Belk stated he would prefer it on a state wide bill rather than on a local bill.

Councilman Alexander moved that Council endorse House Bill 715, the state wide bill. The motion was seconded by Councilman Withrow, and carried unanimously.

TRAFFIC ENGINEER REQUESTED TO TAKE ANOTHER LOOK AT THE INTERSECTION OF TUCKASEEGEE ROAD AND TRADE STREET TO MAKE SOME NECESSARY CHANGES.

Councilman Alexander stated last week Mr. Tom Sykes appeared before Council concerning the median at Tuckaseegee and Trade Street. That on his way home he went by there. That he has talked with Mr. Hoose, Traffic Engineer, about it and asked him to look at it. It could be possible that some adjustment could be made to that median to make it a little easier for the fire department ladder trucks to negotiate that strip. He stated there was some merit and facts to Mr. Sykes comments. That he hopes the Traffic Department and Fire Department will look into this. That the officials at the fire station went with him to the corner and they talked about it. He suggested that Council see what type of follow through took place on it, and if there is a just reason for not changing it, then Council should know it. If we can see where some changes need to be made in conjunction with the fire department, then they should be made.

Councilman Whittington stated Mr. Hoose informed him last week when the discussion was going on that he had asked the fire trucks to come through this intersection five different times to prove they had enough room to maneuver.

Councilman Alexander stated this is what he was told. That he stood there about an hour watching traffic through that intersection. It is a fact that a movement of cars coming out of Grandin Road into that intersection have to come out too far to get site clearance to turn into Trade Street. In so doing, that makes cars come almost into the intersection and if a truck had to negotiate that intersection with cars standing there, it cannot be done. That was one of the reasons he felt our officials need to look at it again, and look at it from all these angles to be sure just consideration has been given to what needs to be done.

TOUR REQUESTED FOR VIEWING MOTION PROJECTS IN HOUSING.

Councilman Alexander requested that a tour be set up so that Council can see what Motion is doing in the field of housing. The City Manager was requested by the Mayor to set this tour up and decide what portions of the program Council should visit. Councilman Alexander replied he will leave it up to Council to what they want to see; if they want to see it all he does not see any reason why the tour cannot cover all the projects.

March 19, 1973  
Minute Book 58 - Page 343

COUNCILMAN ALEXANDER ASKED WHAT PROCESS IS USED IN SELECTING ARCHITECTS FOR CITY PUBLIC BUILDINGS.

Councilman Alexander asked how Council goes about the selection of architects for city buildings? He asked if the department head has the right to select architects; or whether a council has the right to select the architects. That he knows Council approves things and sometimes the architects have already been named and the construction is about started. That he does not know the steps in the selection of architects for public buildings, and he would like to know what they are.

Councilman Short replied the choice is made by the man with initiative. That each councilmember has stated he is in favor of this being placed with various individuals; that he thinks Council has followed that in the last year or so. How this individual is paired up with a given job and how he is selected out of all the architects is just like any other appointment, or any other selection process. It just evolves from conversations that go on around this table.

Councilman Alexander stated if it takes a little time to come up with an answer he thinks it should be done; that we should have a system that one can understand.

DISCUSSION OF MODEL CITIES PROGRAM AND FUNDING FOR THE NEXT YEAR.

Councilman Alexander stated we have reached the stage now where we know the shape of things to come as it regards our various poverty programs. As it affects Model Cities we know we have been funded for 1973; and through the guidelines we know about at present, that where we had been holding back on using funds of other years, we now can use whatever funds we have for a continuation of the program. That he thinks Council should answer the question of whether or not, or why, if we are funded for 1973 and have enough funds to go through 1974, why we cannot continue the programs through 1974, and why anyone will have to be cut off, or why you have to start phasing out programs now for which you have the money to continue them. The people who are employed in the program deserve this type of consideration; many of them may not be able to be replaced in another job. This is the question that people are beginning to ask, and perhaps we need to develop an answer.

Councilman Alexander stated he is of the opinion that he would be leaning toward a philosophy of thinking that would say, unless he could be proven to the contrary, if we have funding for 1973, naturally we continue our program. If, as we say, we know we can be funded through 1974, that our program should run that long and that we not start cutting off employees now, looking forward to a cut off date in December, 1974.

He stated an answer should be given to this and we should be able to say that these programs can continue.

Mr. Burkhalter, City Manager, stated the Model Cities Board had cut the funded programs from 156 to 115, and there are 31 programs at present. He stated there will not be any Model Cities after July, 1974. It may be called model cities; but there will not be a funded model cities. Unless Council changes it, the policy now is that he has instructed the Director of Model Cities that he will proceed to program just as he is doing now; but he will plan for six months rather than 12 months.

This is done for two reasons. One, there will not be any model cities funds after this year. You will just use what you have. There is enough money to almost do exactly what we are doing now, plus the same rate of expenditure for the first six months of next year. If we do that we will have to eliminate some of the capital items that may have been programmed for the money that will have to be used for operational services. He stated there has never been a year that every program worked properly. Therefore, he felt it was proper to instruct the Director if he has programs that are not productive and he does not like to cut them as soon as possible; this will give that much more money. Every dime of this money will be used.

March 19, 1973  
Minute Book 58 - Page 344

Councilman Alexander replied evidently that is not told as clearly as Mr. Burkhalter is telling it here now. This is the question that will have to be answered, and answered soon. That he thinks we need to be straight on our guidelines of instructions as to the method and manner in which programs and personnel will be cut out. That it is accepted as the general rule now that instructions have come down from City Hall that they have to start cutting off people, and cutting off programs. It may grow out of what Mr. Burkhalter has said. But it needs to be translated in better terms than the manner in which it is being accepted, and will begin to cause disruptions that will not be the things we would want to have.

Mr. Burkhalter stated if we know this program is going to stop and the Director is allowed to continue to hire people, that would be most unfair to anyone they would employ. Councilman Alexander stated the whole point is there has to be a clarification of people involved of the true meaning of what was meant by having been funded for the 1973 funded, which means those people who are in the program for 1973 feel those programs are ongoing, and the people who hired them are hired through 1973. It has further been said there is enough money to take care of the program through 1974. If that means the fiscal year 1974 ends July 31, that is it. But they feel if it is said that there is enough money in the program to take care of the existence of the programs until 1974, then the people involved feel they can look for the life of those programs through 1974. This is what will have to be clearly enunciated.

Mr. Burkhalter stated the city has a memorandum from HUD telling us exactly what we will get. For the next 18 months we will get funding at the rate of about eight or nine percent of what we have been getting. We will not get another dime. That you can go at the rate at which you are going the remainder of this year, and you can cut back ten percent over this period of time, and you can continue them from January 1 until next July at that same rate, and that is it. If you want to cut in half what you are doing next year, then you can make it through a whole year. You would be retaining a tremendous amount of overhead, and it would not be very wise. The uncertain point is will we have any money after July. What we have asked for is for the Model Cities staff to give us their order of priorities immediately. The County has agreed to review these priorities, and see if they can pick up any of these programs.

CITY MANAGER REQUESTED TO WRITE VISITORS TO CHARLOTTE AND THANK THEM FOR COMING.

Mayor Belk requested the City Manager to write Lieutenant Governor Hunt, President Gordon Allen, Speaker Jim Ramsey, and Senator Bennett, and thank each one of them for coming to Charlotte recently.

OWNER OF HOUSE AT 328-30 LILLINGTON AVENUE ADVISED SHE WILL HAVE TO WORK OUT HER PROBLEM WITH INSPECTION DEPARTMENT AS COUNCIL HAS AUTHORIZED THE HOUSE VACATED AND CLOSED.

Mrs. Mary Eudy stated she has bought a house at 328-30 Lillington Avenue, and she was not aware when she made the arrangements that City Council had ordered the house closed for repairs. She stated she thought the house was in order, and she has tenants in the house. That she finds out now the tenants will have to go, and the house will have to be boarded up. She stated she would like for Council to give her a week, a day or two days or whatever to bring this house in line.

The City Manager advised the City Council has adopted an ordinance ordering the house vacated and closed. Mrs. Eudy replied she was not aware of this; that she is buying the house next door, and they are repairing it also.

Councilman Alexander stated he received a call this morning from a Mr. K. Abrams who stated he owned the house, and he was complaining about a Housing Inspector named Jackson. That the Inspector told the tenants to move as the house would be boarded up. Councilman Alexander stated he assumes this was from some inspection that had been made.

March 19, 1973  
Minute Book 58 - Page 345

Mrs. Eudy stated she agreed to buy this house about two months ago, and she was not aware of this order. Mr. Jamison, Inspection Superintendent, stated this was ordered torn down two years ago in April; and no work has been done on it. That the house was owned by Mrs. Francis Abrams.

Councilman Short asked if there is anything on the title record that would enable some purchaser to see that a house has been condemned when they get ready to purchase it? Mr. Jamison replied a lis pendens notice is placed in the record.

After further discussion, Mrs. Eudy was advised she will have to meet with Mr. Jamison and see if she can work out something with him as the Council has already taken action on this and ordered the house vacated and closed.

AMENDMENT TO HISTORICAL PROPERTIES COMMISSION APPROVED SUBJECT TO APPROVAL OF WORDING BY CITY ATTORNEY.

Councilman Alexander stated he understands this morning the County Commissioners voted to ask the Legislature to amend the present Historical Properties Commission law so that anyone in Mecklenburg County can be a member of the Commission and that it be amended further so that the City and County would be able to have a joint Commission if they so desired. The present wording of the regulation would not permit this. Councilman Alexander stated he discussed this with Mr. Underhill this afternoon and he said if Council saw fit to approve the action taken by the County and support the request for an amendment, there is nothing in it that would bind the city; but would make it possible, if the city wanted to join the county in a group committee, it could. It also made it possible for members to be named to the Commission from an at-large basis, rather than from a municipality basis or zoning basis. He stated if it does nothing but correct the wording, he sees nothing wrong in the City supporting the County on this.

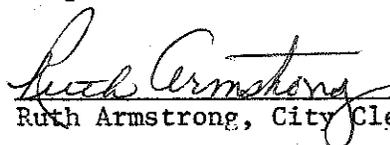
Mr. Underhill stated the Bill only enables the city and county to form a joint commission if they so desire.

Mr. Jim Stenhouse stated the present law is not practical the way it is set out. If the people of the county want to take advantage of the present enabling legislation, and set up a historical properties commission, it would be necessary to have nine separate commissions within the county. He stated in his opinion there should be only one historic properties commission in the county. He stated they would like for Council to ask the general assembly to amend the law so that the city and county can form a joint commission if they so desire.

Councilman McDuffie stated with the understanding that the City Attorney will approve the wording, he moved that Council approve the amendment. The motion was seconded by Councilman Whittington, and carried unanimously.

ADJOURNMENT.

Upon motion of Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, the meeting was adjourned.

  
Ruth Armstrong, City Clerk